

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LEHMAN BROTHERS HOLDINGS, INC.,

Plaintiff,

-v-

HOMETRUST MORTGAGE CO.,

Defendant.  
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15 Civ. 304 (PAE)

ORDER

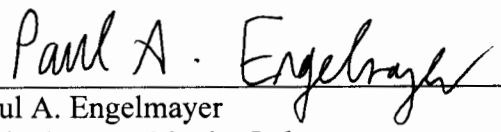
PAUL A. ENGELMAYER, District Judge:

The Court has received defendant Hometrust Mortgage Co.'s ("Hometrust") motion to withdraw the bankruptcy reference, Dkt 1, plaintiff Lehman Brothers Holdings, Inc.'s ("LBHI") opposition, Dkt. 8-9, and Hometrust's reply, Dkt. 11.

The Court is mindful that the Bankruptcy Court has scheduled a hearing for February 17, 2015 to address Hometrust's pending motion to dismiss LBHI's Complaint, and that Hometrust, reasonably, has requested that this Court either stay the Bankruptcy Court proceedings or promptly resolve the motion to withdraw the reference. *See* Dkt. 3. The Court has therefore reviewed the parties' submissions so as to reach a decision in advance of the upcoming Bankruptcy Court hearing.

The Court's considered decision is to deny the motion to withdraw the reference at this stage of the Bankruptcy Court proceedings. The Court will issue a written opinion in due course that explains the reasons for this decision. Hometrust's motion to withdraw the bankruptcy reference is hereby denied, and its motion to stay the Bankruptcy Court proceeding is therefore denied as moot.

SO ORDERED.

  
Paul A. Engelmayer  
United States District Judge

Dated: February 13, 2015  
New York, New York